IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

MONDAY, THE 18TH JUNE 2007 / 28TH JYAISHTA 1929

WP(C).No. 18210 of 2007(P)

PETITIONER:

MARY CHACKO, AGED 57 YEARS,
W/O. P.V.CHACKO, PULLATHIL HOUSE, MANNANAM KARA,
ATHIRAMPUZHA VILLAGE, THELLAKOM P.O.,
KOTTAYAM TALUK, KOTTAYAM DISTRICT.

BY ADV. SRI.JACOB GEORGE (PATHAZHAKKUZHIKAL)
SRI.JOSEPH A.VADAKKEL
SRI.GEORGE KARITHANAM VARGHESE
SRI.V.J.JOHN

RESPONDENTS:
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1. THE BRANCH MANAGER,
KOTTAYAM DISTRICT CO-OPERATIVE BANK LTD.,
ETTUMANOOR BRANCH, ETTUMANOOR P.O.,KOTTAYAM TALUK,
KOTTAYAM DISTRICT.

2. THE AUTHORISED OFFICER
(THE SECURITY INTEREST (ENFORCEMENT) RULES 2002),
KOTTAYAM DISTRICT CO-OPERATIVE BANK LTD.,
HEAD OFFICE, KOTTAYAM-1.

BY ADV.SRI.T.R.HARIKUMAR, SC.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 18/06/2007 ALONG WITH W.P.C.NO.18226/07, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

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WP.(C) No.18210 & 18226 of 2007

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Dated this the 18th day of June, 2007

JUDGMENT

In these writ petitions, petitioners are being proceeded under the provisions of Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 by the respondent Bank. According to the petitioners, they have preferred Ext.P5 representation in W.P.(C) 18210 of 2007 and Ext.P4 in W.P.(C) 18226 of 2007. Learned counsel for the petitioners submits that the respondent Bank is bound in law to consider the objections and take a decision in the matter as per Section 13(3A) of the Act.

2. I heard learned counsel for the Bank Sri. T.R.Harikumar. He submits that a decision will be taken on Ext.P5 in W.P.(C) 18210 OF 2007 and Ext.P4 in W.P.(C) 18226 of 2007.

The writ petition is disposed of recording the submission of the learned counsel for the Bank that a decision will be taken on Ext.P5 in W.P.(C) 18210/07 and Ext.P4 in W.P.(C) 18226/07 in accordance with law. A decision will be taken within a period of two weeks from the date of receipt of a copy of this judgment.

(K.M. JOSEPH, JUDGE)

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